

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

WILLIAM BRANDON DUREN

PLAINTIFF

v.

Civil No. 4:16-cv-04074

LIEUTENANT GOLDEN ADAMS,
SERGEANT MILLER; and
CORPORAL GRIFFEN

DEFENDANTS

ORDER

Plaintiff William Brandon Duren proceeds in this matter *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff's Motion to Compel. ECF No. 14. Defendants have filed a Response. ECF No. 15.

Plaintiff's Motion asks the Court to compel Defendants to produce "a copy of any and all requests filed electronically through the "Smart Jail Mail" kiosk that were directed to each named Defendant in this Case" and "a color photograph of the inside of each cell in Max Echo Housing Unit taken from the door, to show the Enttre cell." ECF No. 14.

Defendants represent on October 27, 2016, they provided Plaintiff with Defendant Adams' Response to Plaintiff's First Request for Written Deposition, Defendants' Response to Request for Production, and Defendant Sgt. Alice Miller's Answers to Interrogatories, including a copy of all documentation contained in their exhibit file as their response to Plaintiff's request. ECF No. 15-1. Defendants received Plaintiff's Motion to Compel on February 16, 2017. Prior to receiving the Motion, Defendants state Plaintiff had not previously communicated to them that he was dissatisfied with Defendants' discovery responses and did not attempt to resolve the discovery dispute without involving the Court.

Defendant state they could not find any Requests on the Smart Jail Mail kiosk. The Defendant did locate grievances, which have already been provided to the Plaintiff. ECF No. 15-1. On February 14, 2017, Defendants received Plaintiff's Second Request for Production of Documents requesting the contact information for the company who owns and maintains the "Smart Jail Mail" kiosk as was requested in Plaintiff's Motion to Compel. Defendants have agreed to provide a response to Plaintiff's Second Request for Production within the time frame allowed. Defendants have also agreed to provide Plaintiff with photographs of a cell in the Max Echo Housing Unit at the Miller County Detention Center in a supplemental respond to his discovery requests.

Accordingly, Plaintiff's Motion to Compel (ECF No. 14) is **DENIED** as moot.

IT IS SO ORDERED this 2nd day of March 2017.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE